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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,556	06/22/2001	David William LaBrie		5873

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David William LaBrie
8117 Milwaukee Avenue
Wauwatosa, WI 53213

EXAMINER

LIM, KRISNA

ART UNIT	PAPER NUMBER
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2153

MAIL DATE	DELIVERY MODE
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11/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/887,556	Applicant(s) LABRIE ET AL.	
	Examiner Krisna Lim	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 83-124 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 83-124 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2153

1. Claims 83-124 are newly added for examination, and claims 1-82 were canceled.

2. Claims 83-124 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kondou et al. [U.S. Patent No. 6,073,075] in view of Official Notice.

3. Kondou et al. disclosed (e.g., see Figs. 1-23) the invention substantially as claimed. Taking claims 105 as an exemplary claim, the reference disclosed a method of providing information to users of a specific site (e.g., a current place, areas and related service information, a map of the area, a map of the destination area, see the abstract, cols. 2, 5 and 7), comprising the steps of:

a) receiving a request for information relating to the site (e.g., see Fig. 10, cols. 2, 5 and 7) from a terminal device (Mobile Terminal 20 Fig. 3, Mobile Terminal 20 of Fig. 8) over a communication network (25) or stored on an internal storage device of the terminal device specifically serving the site;

b) searching a database (database 22 of Fig. 3) for the requested information relating to the site (newest situation information on a route to destination, S100 of Fig. 1); generating a result of the requested information (e.g., S108, S110 of Fig. 1, see cols. 2, 5 and 7); and

c) transmitting the resulting information to the terminal device used by a user of the site that initiated the request for information (e.g., see S410 of Fig. 11, cols. 2, 5 and 7).

4. As to claim 106, Kondou et al. disclosed the request for information is transmitted over a wireless communications link with the communications network (e.g., see 40 of Fig. 8, S204 of Fig. 9, cols. 2, 5 and 7).

5. As to claim 107, Kondou et al. disclosed the results of the database search for the requested information are transmitted over a wireless communications link with the communications network (e.g., see S204 of Fig. 9, cols. 2, 5 and 7).

Art Unit: 2153

6. As to claim 108, Kondou et al. disclosed receiving a global positioning system (GPS) signal; and generating a location based on the GPS signal (e.g., see 40 of Fig. 8, Col. 2)

7. As to claim 109, Kondou et al. disclosed downloading an application to a handheld computing device from an access device (e.g., see cols. 2, 5 and 7).

8. As to claim 110, Kondou et al. disclosed the communications network includes: a server (21) coupled to the communications network (25), the server including a database (22) of information relating to locations within the site, information relating to the site and information relating to users of the site (e.g., a current place, areas and related service information, map of the area, see the abstract, cols. 2, 5 and 7).

9. As to claims 111-117, while Kondou disclosed the retrieval information from the information server 21 to the screen of the mobile terminal with the icons, for example, gas stations, restaurants, parking places, resting places (e.g., see cols. 5-6) the map of the current place and the map of the destination, etc. (e.g., see Figs. 1-23, cols. 2, 5 and 7), Kondou et al. did not explicitly mention that the site of those sitemaps is either a resort, a ski resort, an airport, a conventional center, an amusement park, a campus, a cruise ship, an off-site location, etc., It would have been obvious to one of ordinary skill in the art to recognize that such specific site would have been a matter of intends use of the destination areas.

10. As to claims 118, Kondou disclosed the terminal device is a handheld computer including a radio frequency transceiver (e.g., see Fig. 8, S304 of Fig. 10).

11. As to claims 119, Kondou disclosed the communication network includes at least one RF transceiver coupled thereto and configured to provide communications with the handheld computer (e.g., see Fig. 8, S304 of Fig. 10).

Art Unit: 2153

12. As claim 120, Official notice is taken that such use of handheld device including a radio frequency transceiver including RF transceiver that used the standard IEEE 802.11 are well known and expected in the art at the time the invention was made in order to save time and money for the new design by using the well-known and available devices.

13. As to claims 121-124, such use of client computer for doing business such as debiting a user account or purchasing goods or services would have been a matter of using computer to buy merchandise on-line.

14. Claims 83-104 are rejected for the same rationale as claims 105-124, since they recite identical subject matter. Any differences between the claims do not result in patentably distinct claims and all of the limitations are taught by the above cited references.

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2153

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references are cited in the Form PTO-892 for the applicant's review.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956. The examiner can normally be reached on Monday to Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KI

November 21, 2007



KRISNA LIM
PRIMARY EXAMINER